

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 2      Child Care Provider Notification Regulations

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at public hearings to be held October 15, 16 and 17, 2002, as follows:

<u>October 15, 2002</u>	<u>October 16, 2002</u>	<u>October 17, 2002</u>
Community Care Licensing	State Office Building #9	Elihu Harris State Building
1000 Corporate Center Drive	744 P Street	1515 Clay Street
Room #200	Auditorium	Second Floor, Room #15
Monterey Park, California	Sacramento, California	Oakland, California

The public hearings will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearings immediately following the completion of testimony presentations. The above-referenced facilities are accessible to persons with disabilities. If you are in need of a language interpreter at any hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on October 17, 2002.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearings, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Anthony J. Velasquez, Chief  
Office of Regulations Development  
California Department of Social Services  
744 P Street, MS 7-192  
Sacramento, California 95814

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## CHAPTERS

California Code of Regulations, Title 22, Division 12, Chapter 1 (Child Care Center General Licensing Requirements), Section 101218.1 (Admission Procedures) and Chapter 3 (Family Child Care Homes), Sections 102419 (Admission Procedures) and 102421 (Child's Records).

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These amendments are necessary to implement the Department of Social Services' policy requiring child care licensees to inform parents of their right to information about any adults associated with the facility who have been granted a criminal record exemption. These required parental rights are now listed in this regulation section along with other parental rights information that was previously only listed in the Health and Safety Code and other regulation sections. These regulations require licensees, upon request by the parent or authorized representative, to provide the name and type of association to the facility of any adult who has been granted a criminal record exemption, and that the name of the person may also be obtained by contacting the local licensing office.

## COST ESTIMATE

1. Costs or Savings to State Agencies: There would be a negligible fiscal impact.
2. Costs to Local Agencies or School Districts: There would be a negligible fiscal impact on local agencies and no fiscal impact on school districts.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: No fiscal impact exists because this regulation does not affect any federally funded state agency or program.

## LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code.

## STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

## STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. However, some child care workers may choose to leave employment in the child care industry. The potential for closures and staff reductions is not expected to have a substantial or long-term impact on the availability of child care for working families.

## SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there may be an impact on small businesses as a result of filing these regulations, however, any costs are expected to be minor and assumable.

#### ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

#### STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

#### STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Section 1596.81 of the Health and Safety Code. Subject regulations implement and make specific Sections 1596.853, 1596.859, 1596.874, 1597.07, and 1597.56 of the Health and Safety Code.

#### CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Anthony J. Velasquez (916) 657-2586  
Backup: John Flores (916) 657-2586

#### CDSS REPRESENTATIVE REGARDING SUBSTANCE OF THE PROPOSED REGULATION

Program Contact: Ruth McGregor (916) 229-4510  
Backup: Linda Inglett (916) 229-4509

#### EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. In order to allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with Government Code Section 11346.4.

AGENDA ITEMS FOR THESE PUBLIC HEARINGS - October 15, 16 and 17, 2002

ITEM #1      ORD #0602-12    CalWORKs 180-Day Family Reunification Extension

ITEM #2      ORD #0702-18    Child Care Provider Notification Regulations